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Attorneys for Debtor

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

In re:

VINH NGUYEN,

Debtor.

) Case No. 22-50907 MEH
) Chapter 7

) **DECLARATION OF NANCY WENG IN**
) **SUPPORT OF APPLICATION FOR**
) **COMPENSATION**

) Date: April 20, 2023
) Time: 10:00 a.m.
) Place: U.S. Courthouse, 280 South 1st Street,
) Courtroom 11, San Jose CA 95113**

) **Hearing to be conducted in person in the
) courtroom but Counsel / interested parties
) may appear by Zoom and instructions on
) doing so are provided below

) **Before: Hon. M. Elaine Hammond**

I, Nancy Weng, hereby declare:

1. I am an attorney duly licensed to practice in this State and before this Court, and am authorized by the law Firm of Farsad Law Office, P.C., “the Firm”, or “Applicant”, the

1 – Declaration of Nancy Weng in Support of Application for Compensation

employed counsel for the Debtor in the above-captioned case, to apply for the Firm's compensation.

2. I have personal knowledge of the facts set forth in this declaration, and if called to testify, would and could testify competently thereto. As to those matters stated on information and belief, I believe them to be true. I submit this declaration in support of the First and Final Application of Compensation (the "Application") by counsel for the Debtor.
3. I have personally reviewed the information contained in the Application, and believe its contents to be true and correct to the best of my knowledge, information, and belief.
4. Throughout the case, I was one of the primary attorneys working on this case, along with Arasto Farsad.
5. There are absolutely no fee splitting or fee sharing arrangements between the Firm (or any of its members or employees or agents) and anyone else or any other entities.
6. The Firm substituted into the case on October 29, 2022 and filed the application for "no look fees" on October 31, 2022 under Dkt. No. 66.
7. On December 8, 2022, a hearing was held on creditor Paul Nguyen's Motion to Dismiss (Dkt No. 72) whereby the Court converted the case to one under Chapter 7. An Order Converting Case to Chapter 7 was entered on December 9, 2022 (Dkt. No. 123).
8. The Firm seeks approval of final compensation totaling \$24,570.00 plus costs of \$450.00 for pre-conversion to Chapter 7 services to the Debtor for the period covering October 29, 2022 to December 9, 2022 (the "Billing Period") for a total award of \$25,020.00.
9. Although the case was converted, Farsad Law Office, P.C. remained on the case as counsel (and still is) for the Debtor and understands it will never be compensated for its representation for any work done post- conversion.
10. My billing rate for this case is \$350.00 per hour. The billing rates for the attorneys in the Farsad Law Office, P.C. are as follows: Arasto Farsad, \$350.00 per hour.
11. There was no double billing in the case, even where Arasto Farsad and I conferred or worked on matters involving the case at the same time.

1 12. I am an attorney licensed to practice law since 2007. I hold a B.A. from the University of
2 Houston, and a J.D. from Golden Gate University School of Law.

3 13. Upon information and belief, my hourly billing rate of \$350.00 per hour is normal for an
4 attorney of like experience in the Bay Area, and the rates herein were billed at rates no
5 less favorable than those customarily billed by the Firm and generally accepted by clients
6 of the Firm.

7 14. A detailed breakdown of the project billing is attached hereto as **Exhibit A**. The project
8 billing is generated from time kept contemporaneously on Excel.

9 15. I personally reviewed the project billing and time slips and attest that to the best of my
10 knowledge that they are true, correct, and accurate. Exhibit A breaks down the
11 professional working on each event by the initials of the attorney working on the project.

12 16. The Firm has not entered into any agreement or understanding with any other entity for
13 the sharing of compensation received or to be received for services rendered and/or to be
14 rendered in connection with this case.

15 17. A copy of this Application and a cover letter is being mailed to the Debtor concurrently
16 herewith. A copy of said cover letter is attached hereto as **Exhibit B**.

17 18. The Firm now respectfully requests that the Court grant the Application after the Court's
18 consideration / review.

19
20 I declare under penalty of perjury that the foregoing is true and correct.

21
22 Executed on March 28, 2023 at **San Jose**, California

23 /s/ Nancy Weng, Esq.

24 Nancy Weng
25 Attorneys for Debtor

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28 3 – Declaration of Nancy Weng in Support of Application for Compensation

EXHIBIT A

Case Administration

date	event	hours	attorney	total
10/28/2020	review all Apps removed & underlying cases/ report assets		4.5 af	1575
10/21/2022	review all previous related bk filings and current schedules		3.8 nw	1330
10/31/2022	draft schedules A-J, SOFA, plan		1.5 af	525
11/2/2022	draft 1st amended plan		1 af	350
11/4/2022	review Paul N MTD case		0.8 af	280
11/7/2022	review Paul N sanctions motion		1 nw	350
11/9/2022	reviwe Paul N's objection to confirm		0.5 nw	175
11/15/2022	review trustee's plan objection/obj exemptions		1 nw	350
11/16/2022	draft amended ABCDEF, spousal waiver		1.8 nw	630
11/16/2022	call with ch 13 trustee to discuss case		0.5 nw	175
11/18/2022	review Paul N amended objection to plan		0.2 nw	70
11/20/2022	draft opp to motion to dismiss by Paul N		3 af	1050
11/22/2022	attend 341		1 nw	350
12/5/2022	review amend objection to plan by 13 trustee		0.2 af	70
12/6/2022	review supp doc re MTD		0.3 nw	105
12/7/2022	prepare for motion to dismiss hearing		2 nw	700
12/8/2022	attend motion to dismiss hearing		1 nw	350
Total			24.1	8435

Claims and Asset Analysis

date	event	hours	attorney	total
10/25/2022	review claims with debtor		0.5 af	175
10/29/2022	call Paul N - settle		1 af	350
10/30/2022	review Paul N's note history		1 af	350
10/31/2022	draft supplemental brief		2.5 nw	875
11/1/2022	review Paul N's supp reply to opp to MOR		1.5 af	525
11/1/2022	<i>call with counsel for 1st century</i>		0.5 nw	175
11/3/2022	attend MOR hearing		0.6 nw	210
11/15/2022	call Paul N - settle		0.5 af	175

11/18/2022	review amended Paul N objection to confirm	0.5 nw	175
11/22/2022	attend 341	1 nw	350
11/22/2022	review Paul N's reply to opp to MTD	1 nw	350
11/24/2022	draft opposition to Paul N motion for sanctions	5 af	1750
11/28/2022	review Paul N's motion for assign of rents	1.5	525
11/28/2022	prepare for relief from stay hearing	1.5 nw	525
12/1/2022	research assign of rents issue	1 nw	350
12/1/2022	attend hrg re: Paul N relief from Stay	1	350
12/2/2022	review Paul N's demand for rent	0.2 nw	70
12/2/2022	<i>review Paul N's request for reconsideration; MT to shorten time</i>	0.2 af	70
12/4/2022	review Paul N's rent collection motion ex parte	0.8 af	280
12/6/2022	draft opp to motion to reconsider	1.8 af	630
12/6/2022	review Paul N's ex parte prohibit rent collection	0.5 af	175
12/8/2022	call Paul N - settle	0.5 af	175
12/8/2022	research rent collection issue & previous state court ruling	6 nw	2100
			10710
	Total	30.6	10710

Client Communications

date	event	hours	attorney	total
10/19/2022	meet with debtor to discuss gameplan of case		4 af	1400
10/20/2022	meet with debtor re: all state court cases removed		3 af	1050
10/25/2022	meet with debtor re: previous filings		1.5 af	525
11/16/2022	meet with debtor re: objections to plan and case		2 af	700
11/20/2022	meet with debtor re: a lot of issues and rents		1 af	350
11/21/2022	prep debtor for 341		1.5 af	525
12/7/2022	meet with depressed debtor re: conversion & what it means		2.5 af	875
	Total		15.5	5425

	hours	
Total	70.2	24,570

costs - pacer charges and state court records charges 450

25,020

EXHIBIT B

FARSAD LAW OFFICE, P.C.

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March 28, 2023

Mr. Vinh Nguyen
15520 Quito Road
Monte Sereno, CA 95030

Re: Application for Compensation (i.e., attorneys fees and costs)
Chapter 7 Case Number: 22-50907
Case Title: *In re Vinh Nguyen*

Dear Mr. Nguyen:

Attached / enclosed herewith is our First and Final Application for Compensation for your case which will be filed with the Bankruptcy Court. The Court's Guidelines for Compensation and Expense Reimbursement of Professionals and Trustees provides that a Debtor-in-Possession (you), a trustee, or an official committee, must exercise reasonable business judgment in monitoring the fees and expenses of the estate's professionals.

We invite you to discuss any objections, concerns, or questions you may have with us. The Office of the United States Trustee will also accept your objections / comments. The court will also consider timely filed objections by any party in interest at the time of the hearing. Please contact this office should you have any questions.

Yours truly,

A handwritten signature in blue ink, appearing to read "Nancy Weng", with a stylized, cursive script.

Nancy Weng, Esq.
Attorneys for Debtor-in-Possession